

Tree Removal Information

REFERENCE

[Municipal Code 13.32](#)

PLANNING DIVISION

For questions about tree removal on a proposed development site; on multifamily, commercial, or industrial properties; or removing ordinance-size trees on single-family properties, call the Planning Division at **408-535-3555**.

CITY ARBORIST

For questions about street trees and heritage trees, contact:
arborist@sanjoseca.gov
408-794-1915

CODE ENFORCEMENT

For questions about code violations pertaining to trees, call **408-535-7770**.

The residents of San José value trees and require their removal to be regulated through **Municipal Code 13.32**. These regulations apply to trees on private property.

Trees clean the air, help prevent erosion, are home to wildlife, beautify our community, provide shade and windbreaks, and offer many other benefits. That's why a permit may be needed to remove a tree.

WHEN IS A PERMIT NEEDED?

A permit is needed if the tree is:

- a street tree;
- a heritage tree;
- an ordinance-size tree, live or dead; or
- any tree located on multi-family, commercial, mixed use, industrial property or common area.

If none of the above conditions apply, you can remove the tree without a permit.

Street Trees. Trees that are located in the public right-of-way, between the curb and sidewalk are called **street trees**. San José's Department of Transportation provides **no-cost permits** for pruning street trees and oversees their removal; to obtain a permit, visit www.sanjoseca.gov/index.aspx?NID=1907. It is illegal to prune or remove a street tree without a permit; fines up to \$2,000 per tree may apply.

Heritage Trees. A tree that is unique for its history, size, or species is a **heritage tree** and is protected. It is illegal to prune or remove a heritage tree without first consulting the City Arborist and obtaining a permit; fines up to \$10,000 per tree may apply. Visit www.sanjoseca.gov/index.aspx?nid=3655 or contact

the City Arborist to determine if your tree is a heritage tree.

Ordinance-Size Trees. City ordinance 13.32, states that once a tree reaches a certain girth, a permit is required to remove it, even if unhealthy or dead. An **ordinance-size tree** is either:

- **Single Trunk** - Girth is 56 inches or more in circumference at 2 feet above ground; or
- **Multi-trunk** - The combined measurements of each trunk circumference (measuring at 2 feet above ground), add up to 56 inches or more.

WHEN CAN AN ORDINANCE-SIZE TREE BE REMOVED?

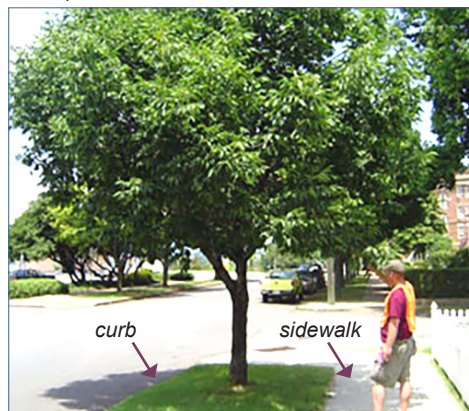
A permit to remove an ordinance-size tree will be considered for approval if it can be verified that the tree is:

- a safety hazard;
- dead, dying or diseased;
- unsuitable; or
- restricts economic development and proposed improvement of a parcel.

Safety Hazards. If a tree of any category (street tree, heritage tree, or ordinance-size tree) is in danger of falling or presents a health or safety hazard, the property owner should immediately contact the City Arborist in the Department of Transportation for street trees and heritage trees, contact the Planning Division for ordinance-size trees on private property or Code Enforcement for violations (see contact Information in sidebar).

continued >

Example of a street tree.



Example of a heritage tree: a large, native Pepper tree.



San José Permit Center

San José City Hall
200 E. Santa Clara St.
San José, CA 95113
408-535-3555
www.sanjoseca.gov/planning

Removal of Dead, Dying or Diseased Trees. Ordinance-size trees that are not simply dormant but are verifiably dead or dying—lacking enough live branches or green leaves to sustain life—may qualify for removal. The permit process for removing a dead, dying or diseased ordinance-size tree entails:

- Submit a report from a certified arborist along with the **Tree Removal Permit Application**.
- There is no fee, public notice, or Director's Hearing.
- The Department Director or designee evaluates the application and makes an administrative and final decision.

Removal of Unsuitable Trees. Ordinance-size trees on a single-family property may be deemed unsuitable and may qualify for removal if any of the following conditions apply:

- The tree trunk is 5 feet or less from the residence.
- The tree trunk is 5 feet or less from the centerline of a below-ground utility line or pipe.
- The tree is on the City's **Unsuitable Tree Species List**. The San José City Council has found certain tree species to be unsuitable and eligible for removal. As of the printing of this bulletin, the list includes:
 - Eucalyptus
 - Liquidambar
 - Pine
 - Tree of Heaven
 - Tulip tree
 - Palm tree (unless in the Palm Haven Conservation Area)

The permit process for removing an unsuitable tree entails:

- Submit a **Tree Removal Permit Application**.
- There is no fee, public notice, or Director's Hearing.
- The Department Director or designee evaluates the application and makes an administrative and final decision.

Removal of Live Trees. Removing a live, ordinance-size tree (for reasons other than disease or unsuitability) such as in the case of enabling economic development of a property, requires a clear case and more evaluation. The permit process for removing a live ordinance-size tree entails:

- Submit a **Tree Removal Permit Application**.
- A fee will be charged; see chart in Fees section.
- The City will issue public notices.
- A Director's Hearing will be held.

TREE REMOVAL PERMIT APPLICATION

Obtain a **Tree Removal Permit Application** at the Permit Center or open a fillable form at www.sanjoseca.gov/planning. Follow the instructions on the application, which direct you to provide:

- A complete application
- A Site Plan that shows parcel dimensions and locations of all structures and all trees
- A clear color photograph of each tree proposed for removal, printed on 8.5x11 paper
- Any applicable fees

TREE REMOVAL ON MULTIFAMILY, COMMERCIAL AND INDUSTRIAL PROPERTIES

For multifamily residences, commercial properties, and industrial properties, a tree removal permit is required for the removal of trees of any size. A **Permit Adjustment Application** is required for non-ordinance sized trees. The original landscape plan for the development must also be submitted with the Permit Adjustment Application.

REPLACEMENT TREES ARE REQUIRED

You must replace each ordinance-size tree that you remove.

- *Single-family and residential complexes up to 4 units:* Replace with a minimum 15-gallon tree.
- *Other properties:* Contact the Planning Division for information about replacement trees.

Low-Cost Replacement Trees. Our City Forest is a local nonprofit that promotes the health of San José's urban forest and provides free or low-cost street trees and low-cost replacement trees. For more information, call **408-998-7337** or visit www.ourcityforest.org.

FEES

Depending on the type of tree evaluation and whether or not public noticing is required by the tree removal permit, a fee may apply. The City may adjust fees at any time. The chart below shows tree removal fees at the time of printing of this bulletin.

Category of Tree	Single-Family and Complexes Up to 4 Units	Multifamily Commercial/Industrial
Dead	0	\$325
Unsuitable	0	N/A
Live	\$200 (per application, not per tree)	1 tree: \$1,202 2-5 trees: \$1,606.83 6+ trees: \$1,606.83 + \$50 for each additional tree